

### REMARKS/ARGUMENTS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1, 10, 15 and 22 are amended is amended herein. Claims 1-24 remain pending.

The Examiner rejected claims 15-19 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,838,887 to Idriss (hereinafter 'Idriss'). In response to Applicants' arguments made in the response filed June 29, 2010, the Examiner suggests that the port of Idriss is in fact in fluid communication with the delivery cannula, albeit *through* the valve and accumulator arrangement. Applicants have amended claim 15 to make it clear that the resealable port is located *between* the distal end of the restrictor channel and the delivery cannula. Such location advantageously provides for immediate delivery of a bolus injection. In view of such clarification in the claim, Applicants request reconsideration and allowance of claims 15-19.

Claims 15-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Reinicke et al. The port of Reinicke is similarly connected to the reservoir, and is not located "between the distal end of the restrictor channel and the delivery cannula." Accordingly, the amendment to claim 15 discussed above also distinguishes Reinicke, and Applicants respectfully request reconsideration of claims 15-20 in view thereof.

The Examiner rejected claims 22-24 over Harris. Claim 22 has been amended to clarify that the series combination of the bolus restrictor channel, bolus button and

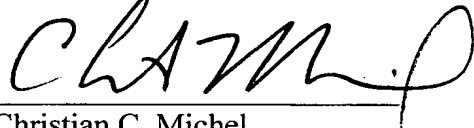
bolus exit channel are configured parallel to the primary restrictor channel between the reservoir and the delivery cannula. Since Harris does not describe any parallel channel arrangement (the Examiner essentially admits the same by arguing that the "parallel" requirement was not previously in the claims), reconsideration and allowance of claims 22-24 in view of the amendment to claim 22 is respectfully requested.

The Examiner rejected claims 1-24 under 35 U.S.C. §103(a) as being obvious over the combination of Kratoska et al., Pike et al., and further in view of Harris. In response to the arguments made in Applicants previous response, the Examiner argues that the Applicant was arguing limitations from the specification and drawings, rather than from the claims. Applicants traverse the rejection. First, with regard to independent claims 15 and 22, the amendments made herein, and discussed above, similarly distinguish Kratoska and Pike.

With regard to independent claims 1 and 10, Applicants have amended the claims to clarify that the sections of the rate selector channel are arranged in parallel to the corresponding sections of the primary restrictor channel. This is shown and described in FIG. 6 and the corresponding description. Pike, by contrast, does not include parallel sections, but rather includes a single long channel with a plurality of nodes that are normally closed. In Pike, one node is selected to be open, which determines the effective length of the single channel, and thereby the flow rate. Applicants request careful reconsideration of claims 1-24 in view of the amendments and comments made herein.

In view of the above, it is believed that the application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully Submitted,



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